



U.S. Fish & Wildlife Service

Nevada Fish & Wildlife Office

Preserving The Biological Diversity Of The Great Basin, Eastern Sierra & Mojave Desert

Frequently Asked Questions

90-Day Finding to Delist the Gray Wolf in Nevada

Q. What is the gray wolf?

Gray wolves are the largest wild members of the Canidae, or dog family, with adults ranging from 40 to 175 pounds depending upon sex and subspecies. In the northern U.S. Rocky Mountains, adult male gray wolves average just over 100 pounds, while the females weigh slightly less. Wolves' fur color is frequently a grizzled gray, but it can vary from pure white to coal black. Wolves may appear similar to coyotes and some domestic dog breeds, such as the German shepherd or Siberian husky. However, wolves' longer legs, larger feet, wider head and snout, and straight tail distinguish them from both coyotes and dogs.

Wolves primarily are predators of medium and large mammals. Wild prey species in North America include white-tailed deer, and mule deer, moose, elk, woodland caribou and barren ground caribou, bison, muskox, bighorn sheep and Dall sheep, pronghorn antelope, mountain goat, beaver, and snowshoe hare with small mammals, birds, and large invertebrates sometimes being taken.

Wolves are social animals, normally living in packs of 2-12 wolves. Packs are primarily family groups consisting of a breeding pair, their pups from the current year, offspring from the previous year, and occasionally an unrelated wolf. Packs typically occupy, and defend from other packs and individual wolves, a territory of 20-214 square miles. Normally, only the top-ranking ("alpha") male and female in each pack breed and produce pups. Litters are born from early April into May; they can range from 1-11 pups, but generally include 4-6 pups.

Q. What is the historical range of the gray wolf?

The gray wolf historically occurred across most of North America, Europe, and Asia. In North America, gray wolves formerly occurred from the northern reaches of Alaska, Canada, and Greenland to the central mountains and the high interior plateau of southern Mexico. The only areas of the conterminous United States that apparently lacked gray wolf populations since the last glacial events are parts of California, the extremely arid deserts and the mountaintops of the western United States, and portions of the eastern and southeastern United States (an area occupied by the red wolf) (Young and Goldman 1944; Hall 1981; Mech 1974; Nowak 2000).

Q. What is the listing status and history of the gray wolf in Nevada?

On March 9, 1978, the Fish & Wildlife Service published a rule (43 FR 9607) listing the gray wolf at the species level (*Canis lupus*) as endangered throughout the conterminous 48 States and Mexico, except for Minnesota, where the gray wolf was reclassified to threatened. In addition,

critical habitat was designated in that rulemaking. In 50 CFR 17.95(a), we describe Isle Royale National Park, Michigan, and Minnesota wolf management zones 1, 2, and 3 (delineated in 50 CFR 17.40(d)(1)) as critical habitat. We also promulgated special regulations under section 4(d) of the Act for operating a wolf management program in Minnesota at that time. The depredation control portion of the special regulation was later modified (50 FR 50793; December 12, 1985); these special regulations are found in 50 CFR 17.40(d)(2).

In order to have the gray wolf's status under the Act match its recovery progress, we published a proposal (65 FR 43450) on July 13, 2000, to revise the listing of the gray wolf across most of the conterminous United States. The proposal included establishing four Distinct Population Segments (DPS), and included recommended wording for three special regulations that would apply to those wolves proposed for reclassification to threatened status. The proposal also included delisting the gray wolf in parts or all of 30 States, including Nevada, because we believed that gray wolf restoration is not necessary and not feasible in those areas, or because the area was historic red wolf habitat.

On April 1, 2003, we published a final rule revising the listing status of the gray wolf across most of the conterminous United States. As a result of comments received during the comment period and additional analysis on our part, several changes were made to the July 13, 2000, proposal. The previous listing of the species was divided into three DPS instead of four; gray wolves in two of the DPSs were reclassified from endangered to threatened; and gray wolves in portions of the Eastern DPS and part of the Western DPS became subject to special regulations under section 4(d) of the Act that allowed State and Tribal natural resource officials, under certain conditions, to "take" those wolves that are attacking domestic animals.

The final rule also delisted the gray wolf in parts or all of 16 States, rather than parts or all of 30 States, as proposed. Nevada was one of the States that was proposed for delisting, but not included in the final rule. Therefore, in the final reclassification rule, Nevada was added to the Western DPS, and reclassified as Threatened.

On January 31, 2005, and August 19, 2005, the U.S. District Courts in Oregon and Vermont, respectively, concluded that the 2003 final reclassification rule was "arbitrary and capricious" and violated the Act. The Courts' rulings invalidated the April 2003 changes to the Act listing for the gray wolf. Therefore, the USFWS currently considers the gray wolf to have reverted back to the status that existed prior to the 2003 reclassification. Gray wolves in Minnesota are classified as threatened, as a result of a 1978 reclassification. Gray wolves in the remaining 47 conterminous States, including Nevada, are endangered, except where they are listed as part of an Experimental Population for reintroduction purposes (throughout Wyoming and in portions of Montana, Idaho, Arizona, New Mexico, and Texas). As yet, the United States Government has made no decision on whether to appeal the Oregon or Vermont District Court rulings.

Q. Why did the Service complete a 90-Day Finding under the Endangered Species Act (ESA) for gray wolf?

Section 4(b)(3)(A) of the Endangered Species Act (Act) (16 U.S.C. 1531 *et seq.*) requires that we make a finding on whether a petition to list, delist, or reclassify a species presents substantial information to indicate that the petitioned action may be warranted. To the maximum extent practicable, this finding is to be made within 90 days of receipt of the petition, and the finding is to be published promptly in the Federal Register. "Substantial information" is defined in 50

CFR 424.14(b) as “that amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted.”

On June 24, 2003, we received a petition, dated June 9, 2003, from the Nevada Division of Wildlife (NDOW) requesting that we delist wolves in Nevada. The basis of the NDOW petition is that the historic presence of wolves in Nevada was limited to transient, solitary individuals, Nevada does not contain suitable habitat to support wolf populations, and no viable populations of wolves ever existed in Nevada. The petition asserts that the 1978 listing of gray wolves as endangered in Nevada was in error, and the 2003 reclassification of gray wolves as threatened in Nevada was also in error. The petition also asserts that gray wolf recovery, as detailed within the Northern Rocky Mountain Recovery Plan (USFWS 1987) has been achieved, and wolves should be delisted.

Q. What were the results of the gray wolf 90-Day Finding?

The Service finds that the petition and additional information in our files does not present substantial scientific or commercial information indicating that delisting may be warranted. We will not be initiating a further status review in response to this petition.

Q. How can the public be involved?

We ask the public to submit to us any new information that becomes available concerning the status of or threats to the gray wolves. This information will help us monitor and encourage the conservation of this species.

Q. Where can I find more information about the gray wolf and the 90-Day Finding?

Copies of the 90-Day Finding are available on the Internet at <http://nevada.fws.gov> or www.fws.gov.

You can also call or write to us to request hard copies of this document.

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